

Message Text

PAGE 01 STATE 204849

61

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UNCLAS STATE 204849

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PAGE 02 STATE 204849

E. O. 11652, N/A

TAGS: OCON, TBIO, UR

SUBJECT: INTERNATIONAL WHALING COMMISSION (IWC)

REF: STATE 202093

1. DEPT HAS NOW BEEN INFORMED OF UNWILLINGNESS OF USSR TO COMPLY WITH TWO OF THREE PRINCIPAL DECISIONS TAKEN AT 25TH ANNUAL MEETING OF IWC LAST JUNE (LONDON 7547). USSR ALSO HAS REFUSED TO AGREE TO STRENGTHENING OF IWC. USG CONSIDERS SOVIET AND PARALLEL JAPANESE ACTION MAJOR SETBACK TO INTERNATIONAL EFFORTS AIMED AT CONSERVING WHALES AND A SERIOUS THREAT TO CONTINUED EXISTENCE OF IWC.

2. AS RESULT OF U. S. PUBLIC OPINION AND WORLD INTEREST IN CONSERVATION OF WHALES AS EXPRESSED AT STOCKHOLM CONFERENCE, THERE WAS AGREEMENT AMONG IWC MEMBER NATIONS THAT COMMISSION MUST BECOME VIABLE CONSERVATION ORGANIZATION. HISTORY OF COMMISSION SHOWS THAT SCIENTIFIC ADVICE HAS BEEN LARGELY IGNORED AND THAT CONSERVATION MEASURES HAVE BEEN AGREED UPON TOO LATE WITH RESULTING SERIOUS DEPLETION OF THE RESOURCE. FIVE OF THE EIGHT SPECIES OF GREAT WHALES ARE CURRENTLY IN DANGER OF EXTINCTION.

3. TO ACCOMPLISH THIS CHANGE IN IWC, ALL MEMBER NATIONS AGREED (A) THAT SECRETARIAT OF COMMISSION SHOULD BE ENLARGED AND STRENGTHENED AND (B) THAT DECISIONS ON QUOTAS SHOULD BE IN ACCORD WITH RECOMMENDATIONS OF SCIENTIFIC COMMITTEE. AT 25TH SESSION, HOWEVER, BOTH JAPAN AND USSR REFUSED TO MAKE FINAL DECISION TO IMPLEMENT AGREEMENT TO STRENGTHEN SECRETARIAT. WHILE COMMISSION ESTABLISHED QUOTAS CONSISTENT WITH SCIENTIFIC RECOMMENDATIONS, SOVIETS AND JAPANESE ARE NOW PRESENTING OBJECTIONS (OBJECTION IN EFFECT MEANS REFUSAL) TO TWO MEASURES WHICH WERE SCIENTIFIC COMMITTEE RECOMMENDATIONS - CATCH QUOTA OF 5,000 MINKE WHALES IN ANTARCTIC AND CATCH QUOTAS BY AREAS FOR SPERM WHALES IN SOUTHERN HEMISPHERE. THIRD MEASURE TO WHICH JAPANESE PRESENTED AN OBJECTION IS PROVISION TO GIVE ADDED PROTECTION TO SERIOUSLY DEPLETED FIN WHALES IN ANTARCTIC TO ALLOW FOR MORE RAPID RECOVERY - A THREE-YEAR PHASEOUT ON TAKING OF UNCLASSIFIED

PAGE 03 STATE 204849

FIN WHALES IN ANTARCTIC. WE ARE GRATIFIED THAT SOVIETS APPEAR NOT TO HAVE OBJECTED TO THIS PROVISION.

4. FOR MOSCOW: EMBASSY SHOULD APPROACH FOREIGN MINISTRY AT SENIOR LEVEL APPROPRIATE TO EMPHASIZE DEPARTMENT'S DEEP CONCERN ON THIS SUBJECT AND, DRAWING UPON FOREGOING, STRONGLY PROTEST AND ASK SOVIETS TO RECONSIDER THEIR OBJECTIONS. IN ANTICIPATION OF POSSIBLE SOVIET CLAIM THAT THEIR OBJECTIONS ARE SIMPLY DESIGNED TO PROTECT SOVIET POSITION FOLLOWING JAPANESE MOVE, YOU SHOULD POINT OUT THAT USG HAS ALREADY PROTESTED TO JAPANESE GOVERNMENT. YOU SHOULD ALSO EXPLAIN THAT USG IS CONSULTING OTHER MEMBER STATES OF IWC WITH A VIEW TO TAKING MEASURES TO REMEDY SITUATION.

5. TO EXPLAIN U. S. POSITION IN DETAIL, YOU SHOULD PRESENT FOLLOWING DIPLOMATIC NOTE WITH APPROPRIATE OPENING AND CLOSING LANGUAGE:

(A) EMBASSY REFERS TO NOTIFICATION FROM IWC SECRETARIAT DATED OCTOBER 5, 1973, IN REGARD TO AMENDMENTS TO SCHEDULE OF INTERNATIONAL CONVENTION FOR REGULATION OF WHALING ADOPTED AT 25TH ANNUAL MEETING. UNDER INSTRUCTIONS FROM ITS GOVERNMENT, EMBASSY STATES FOLLOWING:

(B) IN REGARD TO GOVERNMENT OF USSR'S OBJECTION TO SET QUOTAS OF MINKE WHALES IN ANTARCTIC FOR NEXT SEASON AT 5,000, UNITED STATES GOVERNMENT WOULD LIKE TO POINT OUT THAT THIS DISREGARDS VIEWS OF ALL MEMBER NATIONS EXCEPT JAPAN AND IS CONTRARY TO VOTE OF THE SOVIET UNION ITSELF. IT FURTHER FAILS TO RECOGNIZE VIEWS OF INTERNATIONAL WHALING COMMISSION SCIENTIFIC COMMITTEE. THIS COMMITTEE, AT TWENTY-FOURTH INTERNATIONAL WHALING COMMISSION SESSION, ESTIMATED SIZE OF MINKE WHALE POPULATION AT 150,000 ANIMALS WITH MAXIMUM SUSTAINABLE YIELD OF 5,000. JAPANESE SCIENTISTS AT TWENTY-FIFTH INTERNATIONAL WHALING COMMISSION SESSION ESTIMATED MINKE WHALE POPULATION AT 298,000 WITH A MAXIMUM SUSTAINABLE YIELD OF 12,230. AFTER EXAMINATION OF ALL AVAILABLE DATA, THE OTHER MEMBERS OF COMMITTEE WERE UNABLE TO ACCEPT THAT ESTIMATE, AND SCIENTIFIC COMMITTEE AGAIN RECOMMENDED 5,000.
UNCLASSIFIED

PAGE 04 STATE 204849

IN MAKING THIS RECOMMENDATION, COMMITTEE NOTED "THAT BOTH ESTIMATES OF THE MAXIMUM SUSTAINABLE YIELD ARE BASED ON ASSUMPTIONS REGARDING THE VALUE OF CRITICAL PARAMETERS AND THERE IS AS YET NO SOUND BASIS FOR DETERMINING WHICH IS THE MOST ACCURATE AND (BEGIN UNDERLINE) EMPHASIZES THE IMPORTANCE OF A CONSERVATIVE APPROACH" (END UNDERLINE).

(C) IN REGARD TO OBJECTION OF GOVERNMENT OF USSR TO QUOTAS ON SPERM WHALES BY SEX IN SEPARATE GEOGRAPHIC AREAS IN SOUTHERN HEMISPHERE, UNITED STATES GOVERNMENT WISHES TO POINT OUT THAT DECISION IS DIRECT OPPOSITE OF STRONG ADVICE OF SCIENTIFIC COMMITTEE WHICH IN ITS REPORT STATED THAT IT "DOES (BEGIN UNDERLINE) NOT (END UNDERLINE) CONSIDER THAT A SINGLE QUOTA SHOULD BE SET FOR EACH SEX FOR THE WHOLE SOUTHERN HEMISPHERE." OVERFISHING IS OCCURRING IN CERTAIN AREAS AND WILL CONTINUE IF QUOTAS ARE NOT SET BY AREAS. FOR EXAMPLE, IN WEST INDIAN OCEAN, SCIENTIFIC COMMITTEE PROPOSED QUOTA FOR MALES FOR 1972-73 OF 900. TAKE FOR 1972-73 IS ESTIMATED TO BE 2,160. DECISION OF GOVERNMENT OF USSR TO ACCEPT ONLY GLOBAL QUOTA FOR SPERM WHALES DISREGARDS VIEWS OF TWELVE NATIONS.

(D) SUCH WHOLESAL DISREGARD FOR VIEWS OF ALL OTHER

MEMBER NATIONS WITH FEW EXCEPTIONS LEADS TO SEVERAL QUESTIONS. WHY SHOULD THERE BE A COMMISSION IF ITS DECISIONS CAN SIMPLY BE IGNORED? WHY SHOULD SCIENTIFIC COMMITTEE PREPARE RECOMMENDATIONS? AND WHY SHOULD TWELVE OF FOURTEEN MEMBER NATIONS PUSH FOR IMPROVEMENTS IN INTERNATIONAL WHALING COMMISSION IF PROGRESS MADE CAN BE DESTROYED BY ONE OR TWO NATIONS? UNITED STATES GOVERNMENT IS EXTREMELY DISAPPOINTED WITH BACKWARD STEP OCCASIONED BY SOVIET OBJECTIONS AND IS HOPEFUL THAT THE SOVIET GOVERNMENT WILL RECONSIDER ITS DECISIONS AND MAKE ITS PLANS REGARDING STRENGTHENED SECRETARIAT KNOWN AND THEREBY INDICATE ITS INTENTION TO MAKE IWC A VIABLE CONSERVATION ORGANIZATION.

6. FOR INFO ADDRESSEES: YOU SHOULD INFORM FOREIGN MINISTRY OF THIS PROTEST TO SOVIET UNION AND, REFERRING TO YOUR EARLIER APPROACH REGARDING PROTEST TO JAPAN, REITERATE AS APPROPRIATE U. S. REQUEST FOR PARALLEL ACTION BY OTHER
UNCLASSIFIED

PAGE 05 STATE 204849

MEMBERS IWC. YOU SHOULD EXPLAIN THAT AT TIME OF PROTEST TO JAPAN, U. S. WAS NOT AWARE THAT SOVIETS HAD ALSO OBJECTED TO TWO OF JUNE DECISIONS. KISSINGER

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